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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/031,176      | 01/16/2002  | Daniel Thomas Wetzel | RCA 89700           | 4983             |

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| EXAMINER |
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LEE, JOHN J

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| ART UNIT | PAPER NUMBER |
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2684

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |  |  |
|------------------------------|--------------------------------------|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/031,176 | <b>Applicant(s)</b><br>WETZEL, DANIEL THOMAS |  |
|                              | <b>Examiner</b><br>JOHN J LEE        | <b>Art Unit</b><br>2684                      |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 January 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Arguments/Amendment***

1. Applicant's arguments/amendments received on January 7, 2005 have been carefully considered but they are not persuasive because the teaching of all the cited reference reads on all the rejected claims as set forth in the pervious rejection. Therefore, the finality of this Office Action is deemed proper.

Contrary to the assertions at pages 5 - 6 of the Arguments, claims 1 and 8 are not patentable.

During examination, the USPTO must give claims their broadest reasonable interpretation.

Re claims 1 and 8: Applicant argues that the Rodeffer (US Patent number 5,507,025) does not teach the claimed limitation "recalling from memory a frequency offset value associated with said second LNB and tuning a frequency for receiving a selected channel with a tuner using the frequency offset value". However, The Examiner respectfully disagrees with Applicant's assertion that the Rodeffer does not teach the claimed invention. Contrary to Applicant's assertion, Rodeffer teaches the satellite antenna (101 in Fig. 17) receives signals and transmits the received signals to the first low noise block (1701 in Fig. 17) or second noise block based on frequency ranges, and the switch (1703 in Fig. 17), coupled with first LNB and second LNB, performs to select either the output from the first or second LNB (412 in Fig. 17) by under control of control circuit via control lines, and the control circuit comprising a memory that stores offset values representing starting for the local oscillator settings and the new settings for the control signals on lines (414, 418 in Fig.

17) are then stored in memory to serve as initial offset values (recalling from the memory by control circuit via control signal lines) associated with either first or second LNB based on the selection by control circuit (1702 in Fig. 17) (see Fig. 17 and column 11, lines 48 – column 12, lines 67), regarding the claimed limitation, and Rodeffer also teaches the mixer is precision tuned to the initial frequency offset values by the controlling the local oscillator for maximizing predetection bandwidth to minimize the noise or interference (see column 11, lines 15 – column 12, lines 54, Fig. 17, and column 8, lines 45 – 65), regarding the claimed limitation.

Applicant's attention is directed to the rejection below for the reasons as to why this limitation is not patentable.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claim 1 – 12** are rejected under 35 U.S.C. 102(b) as being anticipated by Rodeffer (US Patent number 5,507,025).

Regarding **claim 1**, Rodeffer discloses that a method for acquiring satellite signals using multiple low noise blocks (LNBs) (Fig. 17 and column 12, lines 56 – column 13, lines 28). Rodeffer teaches that receiving a request to switch from a first LNB (Ku band LNB (1702) in Fig. 17) to a second LNB (C band LNB (1701) IN Fig. 17) (Fig. 17 and

column 12, lines 40 – column 13, lines 28, where teaches receives a signal (signal for request to switch to the LNB band) from a different band for downconversion the satellite broadcast signal). Rodeffer teaches that switching (1703 in Fig. 17) from the first LNB (Ku band LNB (1702) in Fig. 17) to the second LNB (C band LNB (1701) IN Fig. 17) (Fig. 17 and column 12, lines 56 – column 13, lines 28, where teaches the switch selects a LNB to switch to the LNB as a second LNB when a request signal receives). Rodeffer teaches that recalling from memory (1603 in Fig. 16) a frequency offset value associated with said second LNB (column 11, lines 25 – column 12, lines 54 and Fig. 15, 17, where teaches the second stage in LNB removes a second skirt of the selected channel and compensates for offset created by the first stage (memory has a frequency offset value and recall frequency offset value of the first stage) means does not have to track the offset of the second stage). Rodeffer teaches that tuning a tuner frequency to a value using the frequency offset value (column 11, lines 25 – column 12, lines 54 and Fig. 15, 17, where teaches the second mixer does not compensate for the offset created by first mixer, but instead is precision tuned by the user to maximize predetection bandwidth to minimize video truncation). Rodeffer teaches that frequency locking said tuner to a signal from said second LNB (column 8, lines 45 – column 9, lines 16 and Fig. 5, 7, where teaches a local oscillator (tuner) is a phase locked loop to lock to lock the signal from the LNB).

Regarding **claim 2**, Rodeffer discloses that the tuner frequency value comprises a second LNB base frequency plus the frequency offset value (column 11, lines 25 – 64 and Fig. 14, 15, where teaches the second stage removes skirt of the selected channel and compensates for the offset value created by the first stage).

Regarding **claim 3**, Rodeffer discloses that the frequency offset value compensates for frequency drift in the second LNB (column 11, lines 25 – column 12, lines 54, Fig. 15, 17, and column 5, lines 9 – 51).

Regarding **claim 4**, Rodeffer discloses that the frequency offset compensates for a frequency adjustment in a satellite transponder (column 5, lines 9 – 51, Fig. 1, 4, and column 9, lines 27 – 58).

Regarding **claim 5**, Rodeffer discloses that the frequency offset compensates for a frequency adjustment in a satellite transponder and frequency drift in the second LNB (column 5, lines 9 – 51, Fig. 1, 4, and column 9, lines 27 – 58).

Regarding **claim 6**, Rodeffer discloses that activating the second LNB while tuning said tuner frequency (column 12, lines 40 – column 13, lines 13 and Fig. 17).

Regarding **claim 7**, Rodeffer discloses that the frequency offset for second LNB is derived from a frequency drift of the first LNB (column 12, lines 40 – column 13, lines 13, Fig. 17, and column 11, lines 25 – 64).

Regarding **claim 8**, Rodeffer discloses all the limitation, as discussed in claim 1. Furthermore, Rodeffer further discloses that a tuner (local oscillator) coupled to said first and second LNBs (Fig. 17 and column 12, lines 40 – column 13, lines 13). Rodeffer further discloses teaches that a memory (1603 in Fig. 16) coupled to said tuner (404, 408 in Fig. 17), for storing a first frequency offset value for said first LNB and a second frequency offset value for said second LNB (Fig. 16, 17, column 12, lines 40 – column 13, lines 13, and column 11, lines 25 – 64).

Regarding **claim 9**, Rodeffer discloses that the tuner comprises a local oscillator having a frequency substantially equal to a base frequency plus either the first or second frequency offset value (Fig. 16, 17, column 11, lines 25 – 64, and column 8, lines 32 – column 9, lines 16).

Regarding **claim 10**, Rodeffer discloses that the first and second frequency offset values represent the respective frequency drift of the first and second LNBS (Fig. 16, 17, column 12, lines 40 – column 13, lines 13, and column 11, lines 25 – 64).

Regarding **claim 11**, Rodeffer discloses that the first frequency offset value comprises a frequency offset value for each transponder associated with said first LNB and said second frequency offset value comprises a frequency offset value for each transponder associated with said second LNB (column 11, lines 5 – 64 and Fig. 14 and 17).

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Conclusion***

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed (703) 308-9051, (for formal communications intended for entry)

Or: (703) 308-6606 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to USPTO Headquarters,  
Alexandria, VA.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John J. Lee** whose telephone number is **(571) 272-7880**. He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Nay Aung Maung**, can be reached on **(571) 272-7882**. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J.L  
June 1, 2005

John J Lee



NICK CORSARO  
PRIMARY EXAMINER